

## Message Text

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PAGE 01 NEW DE 04132 160759Z  
ACTION IO-14

INFO OCT-01 NEA-10 ISO-00 EB-08 OES-07 COME-00 L-03  
SSO-00 /043 W

-----003425 160813Z /17

O 160500Z MAR 78  
FM AMEMBASSY NEW DELHI  
TO NSF WASHDC IMMEDIATE  
INFO SECSTATE WASHDC IMMEDIATE 231  
U.S. MISSION GENEVA PRIORITY 1678

UNCLAS NEW DELHI 4132

FOR: NSF - ATMOSPHERIC SCIENCE DIVISION (GREENFIELD)

E.O. 11652: N/A

TAGS: TPHY, OSCI, TGEN, IN

SUBJECT: PREPARATIONS FOR MONEX

REF: 77 STATE 207171, 77NEW DELHI 12415, 77 STATE 222907

1. AS NSF IS AWARE WE HAVE BEEN TRYING TO UNSCRAMBLE BUREAUCRATIC PROBLEMS IN THE WAY OF OUR SUPPORT FOR THE INTERNATIONAL MONEX EXPERIMENTS, INCLUDING THE TAX AND CUSTOMS STATUS OF NSF/WMO CONTRACTOR ROBERT GROSSMAN. THIS WILL REQUIRE AN OVERALL AGREEMENT BETWEEN WMO AND THE GOVERNMENT OF INDIA IN WHICH THE FACILITIES ACCORDED INTERNATIONAL PARTICIPANTS IN HIS EXPERIMENT WILL BE SPELLED OUT. IT IS NOW APPARENT UNLESS DECISIVE ACTION IS TAKEN BY WMO, SUCH AN AGREEMENT MAY NOT BE REACHED IN TIME FOR THE EXPERIMENT TO PROCEED ON SCHEDULE. WE ARE THEREFORE URGENTLY REQUESTING NSF, THROUGH THE U.S. PERMANENT REPRESENTATIVE TO WMO, TO BRING THIS PROBLEM TO THE ATTENTION TO AN APPROPRIATELY HIGH LEVEL INWMO.

2. OUR PROBLEM STEMS FROM THE FACT THAT FOREIGNERS RESIDENT IN INDIA FOR MORE THAN 90 DAYS ARE CONSIDERED TO BE SUBJECT TO INDIAN  
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INCOME-TAX UNLESS THEY ARE WORKING ON A PROJECT UNDER AN AGREEMENT WITH THE GOVERNMENT OF INDIA WHICH SPECIFICALLY PROVIDES FOR THEIR EXEMPTION FROM TAXES. SIMILARLY, THEY HAVE NO FREE ENTRY PRIVILEGES FOR THEIR HOUSEHOLD EFFECTS OR EVEN NEEDED SCIENTIFIC EQUIPMENT IN THE

ABSENCE OF A SPECIFIC AGREEMENT. BESIDES THIS QUESTION OF PERSONAL STATUS, THERE ARE ALSO MANY ADMINISTRATIVE DETAILS, SUCH AS CLEARANCE

FOR SHIPS AND AIRCRAFT, BUNKERING FACILITIES, TAX STATUS FOR FUEL, ETC.

WHICH NEED TO BE RESOLVED BEFORE THE ACTUAL EXPERIMENT CAN BEGIN.

3. OUR IMMEDIATE PROBLEM CONCERNS ROBERT GROSSMAN, WHO HAS A CONTRACT WITH NSF ASSIGNING HIM TO WORK WITH WMO AND A SUBSEQUENT AGREEMENT WITH WMO ASSIGNING HIM TO NEW DELHI. GROSSMAN ENTERED INDIA LAST OCTOBER ON A TOURIST PASSPORT WITH A TOURIST/BUSINESS VISA. DESPITE ADVICE IN REF. B, WMO AND NSF HAD NOT CLARIFIED HIS CUSTOMS AND TAX STATUS BEFORE HE ARRIVED, AND FOR SOME REASON HIS APPLICATION FOR AN OFFICIAL PASSPORT WAS ONLY FILED LAST MONTH. HE MAY TECHNICALLY BE LIABLE FOR INDIAN INCOME-TAX AS OF JANUARY 4, THOUGH THERE IS SOME AMBIGUITY ABOUT THIS SINCE HE HAS BEEN IN AND OUT OF INDIA AND WE HAVE CONFLICTING INFORMATION AS TO HOW THE GOI INTERPRETS THE 90-DAY RESIDENCE CLAUSE. ONCE HE RECEIVES HIS OFFICIAL PASSPORT AND ENTERS INDIA ON AN OFFICIAL VISA, HE WILL CLEARLY HAVE TAX-EXEMPT STATUS, BUT MEANWHILE HE CONSIDERS THE RISKS SO GREAT THAT HE HAS TOLD HIS INDIAN COLLEAGUES AND US HE IS GIVING UP HIS APARTMENT HERE AND WILL LEAVE INDIA ON MARCH 29 UNTIL HIS STATUS IS RESOLVED.

4. IN THE LONGER TERM, OF COURSE, OTHER US AND THIRD COUNTRY PARTICIPANTS WILL FACE THE SAME PROBLEMS UNLESS THE PROPER ARRANGEMENTS

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HAVE BEEN MADE WITH THE GOI.

5. THE GOI METEOROLOGICAL OFFICIALS HAVE TOLD US DURING THE LAST EXPERIMENT SIMILAR TO MONEX THE GOI HAD AGREEMENT WITH WMO WHICH SPELLED OUT THE STATUS OF ALL INTERNATIONAL PARTICIPANTS. A DRAFT AGREE-

MENT WHICH WOULD DO THE SAME FOR THE MONEX EXPERIMENT HAS BEEN PREPARED WITHIN THE GOI METEOROLOGICAL DEPARTMENT. THE OTHER GOI AGEN-

CIES WHICH MUST CLEAR SUCH AN AGREEMENT, HOWEVER, HAVE SAID THEY WILL NOT CONSIDER IT UNTIL WMO HAS GIVEN ITS APPROVAL. WHEN THIS AGREEMENT WAS DISCUSSED BY GOI METEOROLOGICAL DEPARTMENT AND WMO OFFICIALS, WE ARE TOLD WMO SAID THE DRAFT WOULD HAVE TO BE CONSIDERED CAREFULLY BY WMO LEGAL EXPERTS. THIS CONVERSATION TOOK PLACE ON FEBRUARY

4, AND THE GOI HAS HEARD NOTHING SINCE THEN ACCORDING TO DR. Y. RAMANATHAN, KEY METEOROLOGICAL DEPARTMENT OFFICIAL CONCERNED.

6. WE HAVE EXPLORED GREENFIELD'S SUGGESTION THAT WE TRY TO NEGOTIATE BILATERAL AGREEMENT WITH THE GOI TO TAKE CARE OF GROSSMAN,

WHILE THE BROADER AGREEMENT IS BEING DEVELOPED. WE FIND THAT THIS WOULD SAVE NO TIME AS A LENGTHY GOI CLEARANCE PROCESS WOULD BE REQUIRED.

7. GROSSMAN HAS CABLED HOEBER IN GENEVA AT WMO ASKING HIM TO EXPEDITE WMO CONSIDERATION OF THE DRAFT. WE CONSIDER IT CRUCIAL TO THE SUCCESS OF THE EXPERIMENT THAT THE U.S. REPRESENTATIVE AT WMO EXPRESS AT A HIGH LEVEL IN THE ORGANIZATION OUR CONCERN THAT A DELAY IN NEGOTIATING THIS AGREEMENT COULD SERIOUSLY IMPAIR THE ABILITY

OF INTERNATIONAL SCIENTISTS TO SUPPORT THE EXPERIMENT. THE GOI CLEARANCE PROCESS IS NORMALLY A LONG DRAWN OUT BUSINESS AND WMO MUST GET IT STARTED AS SOON AS POSSIBLE.

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8. AFTER FOREGOING WAS DRAFTED WE LEARNED FROM GROSSMAN THAT NSF WAS APPROACHING WMO ABOUT GROSSMAN'S PROBLEM AND PLANNING TO WITHDRAW HIS SERVICES AS OF MAY 1 UNLESS SITUATION IMPROVED. WE ARE SENDING THIS MESSAGE

IN TO PROVIDE SOME BACKGROUND NSF MAY NOT HAVE AND TO REINFORCE THE NEED FOR ACTION UNDER THE CIRCUMSTANCES THE THREAT TO WITHDRAW GROSSMAN MAY BE USEFUL, THOUGH WE URGE THAT IT NOT BE MADE IRREVOCABLE

UNLESS THE SITUATION REALLY DOES BECOME HOPELESS. IN FUTURE, STRONGLY RECOMMEND THAT NSF ADVISE US BEFORE APPROACHING GOI. GOHEEN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SCIENTIFIC COOPERATION, RESEARCH, ATMOSPHERE, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 207171, 77 NEW DELHI 12415, 77 STATE 222907  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3309600  
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**Status:** NATIVE  
**Subject:** PREPARATIONS FOR MONEX  
**TAGS:** TPHY, OSCI, TGEN, IN  
**To:** NSF  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014